

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JOSHUA ADAM SCHULTE,

Defendant.

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17-CR-548 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

In advance of trial, which is scheduled to begin September 11, 2023, the Government filed several motions *in limine*, including a motion seeking an order restricting the display of child sexual abuse materials (“CSAM”) during trial to the jury, the Court, and the parties. *See* ECF No. 1088. The Government’s motions to preclude evidence of Defendant’s prior employment by the CIA and reference to the CIA, *see id.* at 10-13, to deem Defendant’s prior stipulations binding and admissible, *see id.* at 13-14, and for an order deeming evidence of Defendant’s prior convictions for making false statements, contempt of court, and obstruction admissible in the event he testifies, *see id.* at 20-22, are granted as unopposed, *see* ECF No. 1092, at 1 n.1.¹ The Court reserves judgment on the parties’ other requests for relief.

No later than **August 25, 2023**, the Government shall file a reply, not to exceed ten pages, with respect to its request to restrict the display of CSAM during trial. The reply should respond to Defendant’s argument that the Government should be precluded from introducing any CSAM altogether in light of his concessions (and, presumably, willingness to stipulate) that the material constitutes CSAM and that “any person viewing this material would conclude that the material

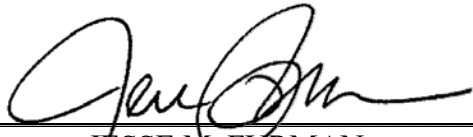
¹ In the case of Defendant’s prior convictions, the Court’s ruling is subject to its decision on Defendant’s pending Rule 29 challenge to the obstruction charge.

constitutes CSAM.” *Id.* at 14-16. The reply should also address whether, in lieu of withholding any CSAM admitted at trial from the public altogether, there is a narrower alternative available to address the harms that the Government identifies, namely displaying the material to the public with redactions and/or with blurring of the subjects’ facial features.

Insofar as the Government’s proposal to restrict the display of CSAM during trial arguably constitutes a partial courtroom closure, members of the public or press who wish to be heard may file a response. Any such response, not to exceed five pages, shall be filed by **August 25, 2023**.

SO ORDERED.

Dated: July 18, 2023
New York, New York



JESSE M. FURMAN
United States District Judge